

1 Plaintiff seeks reconsideration of the magistrate judge’s decision to grant Defendants an
2 extension of time to oppose Plaintiff’s Motion to Compel (ECF No. 110). (ECF No. 118.)

3 As an initial matter, Plaintiff’s Motion is untimely. A party may object to a non-
4 dispositive pretrial order of a magistrate judge within 14 days after service of the order. Fed. R.
5 Civ. P. 72(a). Here, the Order was issued and served on October 23, 2020 (ECF No. 113), and
6 Plaintiff filed his Motion on December 13, 2020 (*see* ECF No. 118 at 1), 54 days later.¹ As such,
7 the Motion is denied.

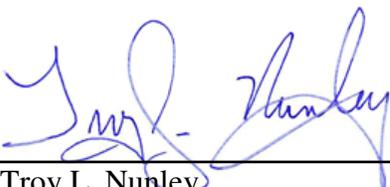
8 Similarly, Plaintiff’s Motion for Reconsideration is rendered moot by the fact that the
9 Motion to Compel has already been fully briefed by the parties and the magistrate judge has
10 issued a ruling on the motion. (*See* ECF Nos. 114, 117, 119.)

11 Finally, and perhaps most importantly, Plaintiff fails to present any showing whatsoever
12 that the magistrate judge’s decision to grant a 14-day extension of time was “clearly erroneous.”
13 Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A); *In re eBay Seller Antitrust Litig.*, No. C 07-1882
14 JF (RS), 2009 WL 3613511, at *1 (N.D. Cal. Oct. 28, 2009); *Martinez v. Lawless*, No. 1:12-CV-
15 01301-LJO-SKO, 2015 WL 5732549, at *1 (E.D. Cal. Sept. 29, 2015) (citing *Kern-Tulare Water*
16 *Dist. v. City of Bakersfield*, 634 F. Supp. 656, 665 (E.D. Cal. 1986), *aff’d in part and rev’d in part*
17 *on other grounds*, 828 F.2d 514 (9th Cir. 1987)); *E.E.O.C. v. Peters’ Bakery*, 301 F.R.D. 482, 484
18 (N.D. Cal. 2014) (quoting *Burdick v. C.I.R.*, 979 F.2d 1369, 1370 (9th Cir. 1992)).

19 For the foregoing reasons, Plaintiff’s Motion for Reconsideration is hereby DENIED.
20 (ECF No. 118.) The Court affirms the magistrate judge’s Order granting Defendants an extension
21 of time. (ECF No. 113.)

22 IT IS SO ORDERED.

23 DATED: January 5, 2021

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Troy L. Nunley
United States District Judge

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28 ¹ Plaintiff’s filing date was determined pursuant to the prison mailbox rule. *See Houston v. Lack*, 487 U.S. 266, 274 (1988).